

IN RE: PETITION FOR ADMINISTRATIVE  
ZONING VARIANCE  
S/S Vogt Avenue, 30 ft. W of  
c/l of Orchard Drive  
1245 Vogt Avenue  
13th Election District  
1st Councilmanic District  
Zigmas J. Bucevicius, et ux  
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 12 ft. 1 inch, in lieu of the required average setback of 18 ft. 6 inches, for an addition, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of February, 1993 that the Petition for a Variance from Section 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 12 ft. 1 inch, in lieu of the required average setback of 18 ft. 6 inches, for an addition, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING  
Dec 31/93  
By [Signature]

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmm

-2-

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

February 10, 1993

Mr. and Mrs. Zigmas J. Bucevicius  
1245 Vogt Avenue  
Baltimore, Maryland 21227

RE: Petition for Administrative Zoning Variance  
Case No. 93-216-A  
1245 Vogt Avenue

Dear Mr. and Mrs. Bucevicius:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmm  
encl.



Petition for Administrative Variance  
to the Zoning Commissioner of Baltimore County  
for the property located at 1245 VOGT AVE

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 303.1.1 to permit a front setback of 12'5" in lieu of the required average of 18'6".

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County, for the following reasons: indicate hardship or practical difficulty

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above variance advertising, posting, etc. upon filing of this petition, and further agree to, and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Signature of Petitioner: ZIGMAS J. BUCEVICIUS  
Signature of Spouse: LANA E. BUCEVICIUS  
Address: 1245 VOGT AVE, BALTIMORE, MD 21227  
City: BALTIMORE, State: MD, Zip: 21227

A Public Hearing having been requested and/or found to be required it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, to be held on the 11th day of February, 1993, at 7:00 PM, at the Zoning Commission Hearing Room, 111 West Chesapeake Avenue, Towson, Maryland 21204.

REVIEWED BY: RGT DATE: 1-14-93  
ESTIMATED POSTING DATE: 1-24-93

ITEM #: 224

Affidavit in support of  
Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein gives is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do/does presently reside at 1245 VOGT AVE, BALTIMORE, MD 21227.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (include narrative or practical difficulty)

To make reasonable use of our property at retirement (we are 58 and 57 years old) a better design for a new entrance needs to be made. The new addition will provide an entrance at street level and within an enclosed area. The requested setback of the new addition from our property line will remain greater than the setback of a majority of neighboring properties. The design of this sixty year old house is not due to our actions.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Zigmas J. Bucevicius  
Lana E. Bucevicius

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 4th day of January, 1993, before me, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally appeared Zigmas J. Bucevicius and Lana E. Bucevicius.

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

1-4-93  
Lana E. Bryant  
My Commission Expires: January 1, 1996

ZONING DESCRIPTION FOR 1245 VOGT AVE., BALTIMORE, MD. 21227

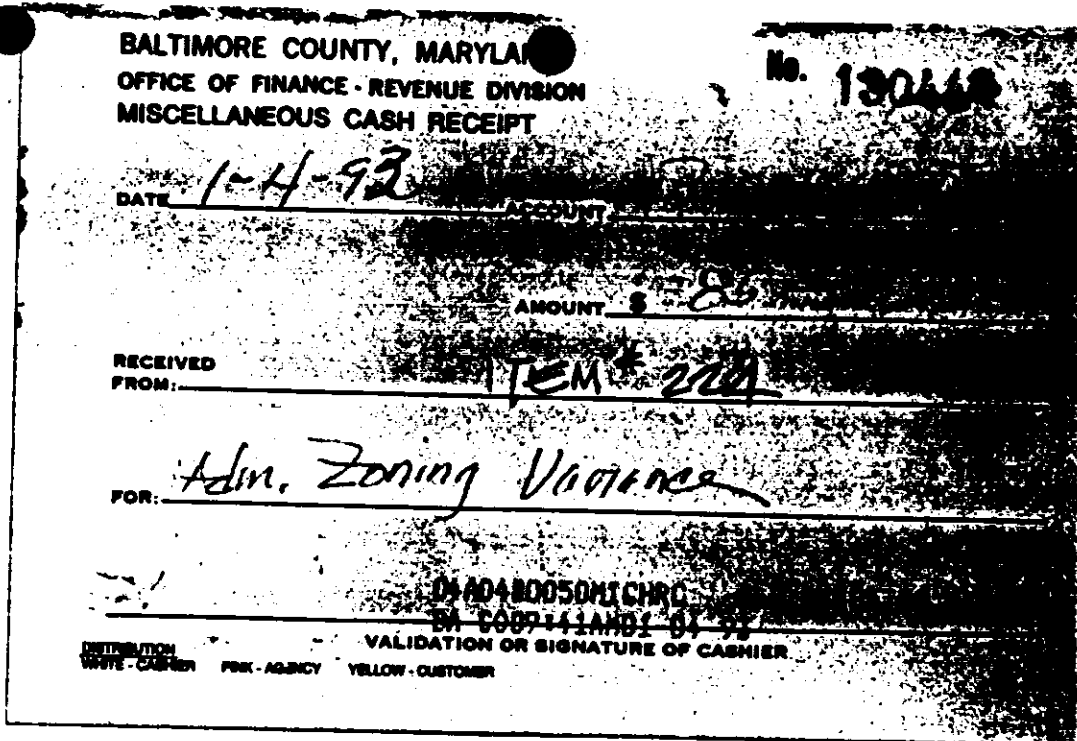
Beginning at a point on the south side of VOGT Ave. which is 34 feet wide at the distance of 30 feet west of the centerline of the nearest improved intersecting street ORCHARD DRIVE which is 30 feet wide. As recorded in Deed Liber (07), Folio (017): N 44° 40' W. 80.00 ft., S 45° 20' W. 115.00 ft., S 44° 21' E. 80.00 ft., and N 45° 20' E. 115.44 ft. to the place of beginning.

93-216-A

ITEM #224

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 13th  
Posted for: Variance  
Petitioner: Zigmas J. Bucevicius & Lana E. Bucevicius  
Location of property: 36 Vogt Ave., 30' W of Orchard Dr.  
Location of Sign: Front 100' W of property line  
Remarks: [Signature]  
Posted by: [Signature]  
Number of Signs: 1



93-216-A

Baltimore County  
Zoning Administration & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

1/04/93  
PUBLIC HEARING FEES  
010 - ZONING VARIANCE (IRL) 1 X \$50.00  
090 - POSTING SIGNS / ADVERTISING: X \$35.00  
LAST NAME OF OWNER: BUCEVICIUS  
TOTAL: \$85.00

Cashier Validation

Please Make Checks Payable To: Baltimore County

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

January 25, 1993

(410) 887-3353

Mr. and Mrs. Zigmas J. Bucevicius  
1245 Vogt Avenue  
Baltimore, MD 21227

RE: Case No. 93-216-A, Item No. 224  
Petitioner: Zigmas J. Bucevicius, et ux  
Petition for Administrative Variance

Dear Mr. and Mrs. Bucevicius:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Your petition has been received and accepted for filing this  
4th day of January 1993.

*Arnold Jablon*  
ARNOLD JABLON  
DIRECTOR

Received By:

*W. Carl Richbeck*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Zimas J. Bucevicius, et ux  
Petitioner's Attorney:

93-216-A 2-8  
BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: January 20, 1993

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee  
(January 19, 1993)

The Office of Planning and Zoning has no comments on the following petition(s):

William and Jeanette Clark, Item No. 221  
Zimas and Ona Bucevicius, Item No. 224  
Ronald and Norma Jewell, Item No. 225  
Steven and Deborah Benson, Item No. 226  
Louis Slabotinek, Item No. 232  
Jack J. Basel, Item No. 234

If there should be any further questions or if this office can provide additional  
information, please contact Francis Morsey in the Office of Planning at 887-3211.

Prepared by: *Francis Morsey*

Division Chief:

PK/FM:rdn

221.ZAC/ZAC1

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

1-13-93

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No. \* 224 (RT)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it  
does not access a State roadway and is not effected by any State Highway Administration  
projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*  
for John Contestabile, Chief  
Engineering Access Permits  
Division

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717



90 East Popple Road, Suite 301  
Towson, MD 21204-3500

JANUARY 13, 1993

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: ZIGMAS J. BUCEVICIUS III AND ONA E. BUCEVICIUS

Location: #1245 VOCT AVENUE

Item No.: \*224 (RT) Zoning Record: JANUARY 15, 1993

Comment:

Pursuant to your request, the referenced property has been surveyed by  
this Bureau and the comments below are applicable and required to be  
corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comment at this time.

REVIEWER: *Capt. Jerry G. Smith*  
Planning Group  
Special Inspection Division

JP/EE

1/19/93

93-216-A  
Admin. Var.

DPW/Development Engineering Division (Public Services)  
Development Review Committee Response Form  
Authorized signature: *Dennis A. Kennedy* Date: 2/1/93

Project Name	Waiver Number	Zoning Issue	Meeting Date
Zimas J. And Ona E. Bucevicius	224	1-19-93	NC
Ronald D. And Norma J. Jewell	225		NC
Steven P. and Deborah J. Benson	226		NC
Deereco Limited Partnership	227		NC
James R. and Cecile Myrick	228		NC
Goucher Woods Development, Inc.	229		NC
Connelly Funeral Home	230		Comment
Orville M. Jones	231		NC
Louis A. Slavotinek	232		NC
Jack J. Basel	234		NC
COUNT 10			
G & R No. 3, Inc.	233	1-25-93	
Congregation Darchel Tzedek, Inc.	235		comment

DPW/Traffic Engineering  
Development Review Committee Response Form  
Authorized signature: *Rabe j Familip* Date: 2/1/93

Project Name	Waiver Number	Zoning Issue	Meeting Date
Zimas J. And Ona E. Bucevicius	224	N/C	1-19-93
Ronald D. And Norma J. Jewell	225	N/C	
Steven P. and Deborah J. Benson	226	N/C	
Deereco Limited Partnership	227	W/C	
James R. and Cecile Myrick	228	N/C	
Goucher Woods Development, Inc.	229	W/C	
Connelly Funeral Home	230	W/C	
Orville M. Jones	231	W/C	
Louis A. Slavotinek	232	W/C	
Jack J. Basel	234	N/C	
COUNT 10			
G & R No. 3, Inc.	233	N/C	1-25-93
Congregation Darchel Tzedek, Inc.	235	W/C	

Department of Environmental Protection & Resource Management  
Development Review Committee Response Form  
Authorized signature: *John F. Moore* Date: 2/1/93

Project Name	Waiver Number	Zoning Issue	Meeting Date
Joseph K. And Alva A. Pokorny	216	1-04-93	Written comments
COUNT 1			
Worthington Place L.P.	219	1-11-93	No comments
John F. Moore	223		Written comments
COUNT 2			
Zimas J. And Ona E. Bucevicius	224	1-19-93	NO COMMENTS
Ronald D. And Norma J. Jewell	225		NO COMMENTS
Steven P. and Deborah J. Benson	226		NO COMMENTS
Deereco Limited Partnership	227		NO COMMENTS
James R. and Cecile Myrick	228		IN PROGRESS
Goucher Woods Development, Inc.	229		NO COMMENTS
Connelly Funeral Home	230		NO COMMENTS
Orville M. Jones	231		WRITTEN COMMENTS

DPZ/Strategic Planning (Design Review Section)  
Development Review Committee Response Form  
Authorized signature: *James R. Moore* Date: 2/1/93

Project Name	Waiver Number	Zoning Issue	Meeting Date
J.F.G. Holding Corporation	213	1-04-93	
Joseph K. And Alva A. Pokorny	216		Comment
COUNT 2			
Worthington Place L.P.	219	1-11-93	Comment
AAI Corporation	220		Comment
John F. Moore	223		Comment
COUNT 3			
Zimas J. And Ona E. Bucevicius	224	1-19-93	NC
Ronald D. And Norma J. Jewell	225		NC
Steven P. and Deborah J. Benson	226		NC
Deereco Limited Partnership	227		Comment
James R. and Cecile Myrick	228		Comment
Goucher Woods Development, Inc.	229		Comment



Baltimore County Government  
Office of Zoning Administration  
and Development Management

11 West Chesapeake Avenue  
Towson, MD 21204

JANUARY 13, 1993

**COPY**

(410) 887-3353

Zigmas and Ona Bucevicus  
1245 Vogt Avenue  
Baltimore, Maryland 21227

Re: CASE NUMBER: 93-216-A  
LOCATION: S/S Vogt Avenue, 30' W of c/l Orchard Drive  
1245 Vogt Avenue  
13th Election District - 1st Councilmanic

Dear Petitioner(s):

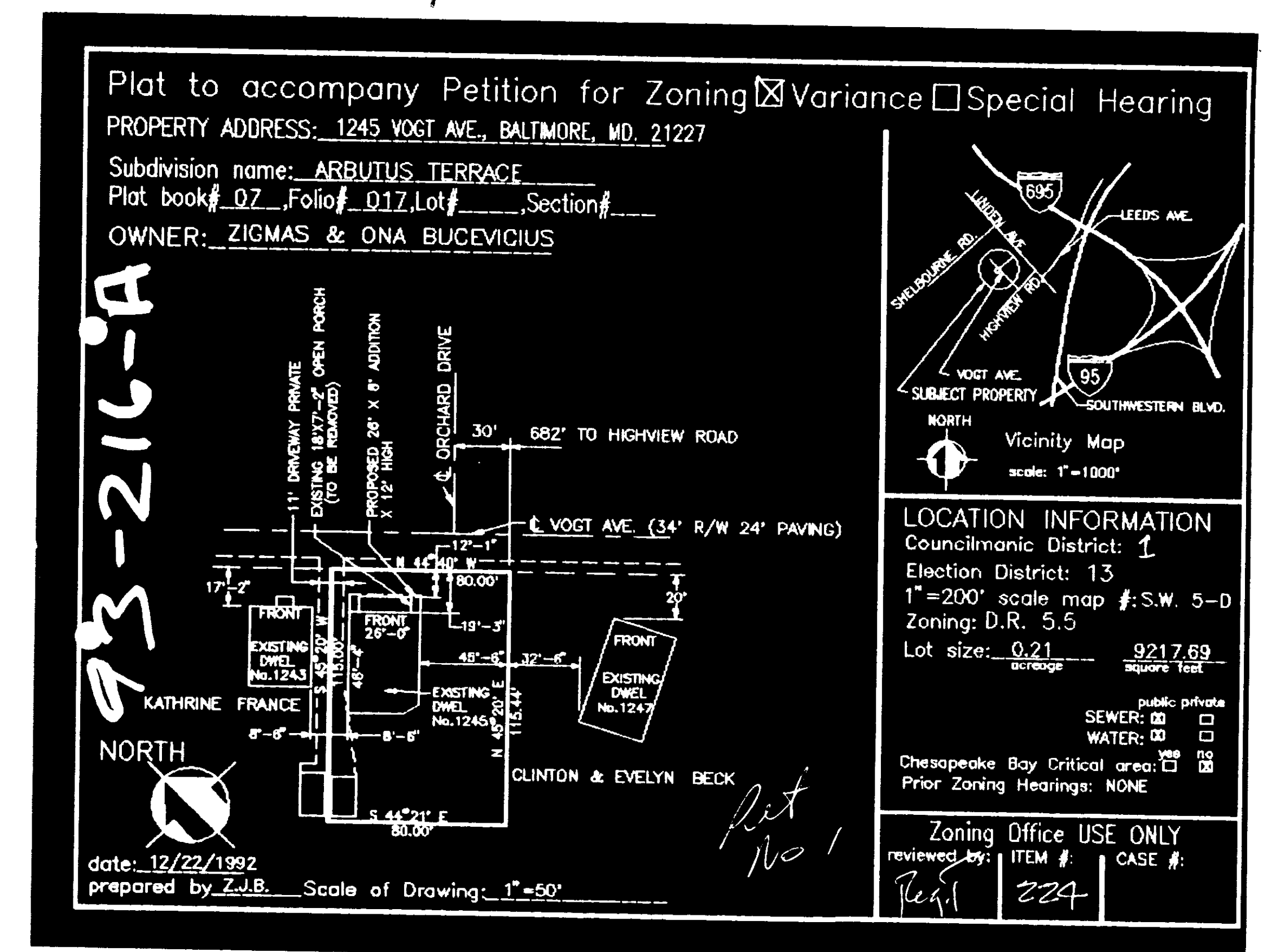
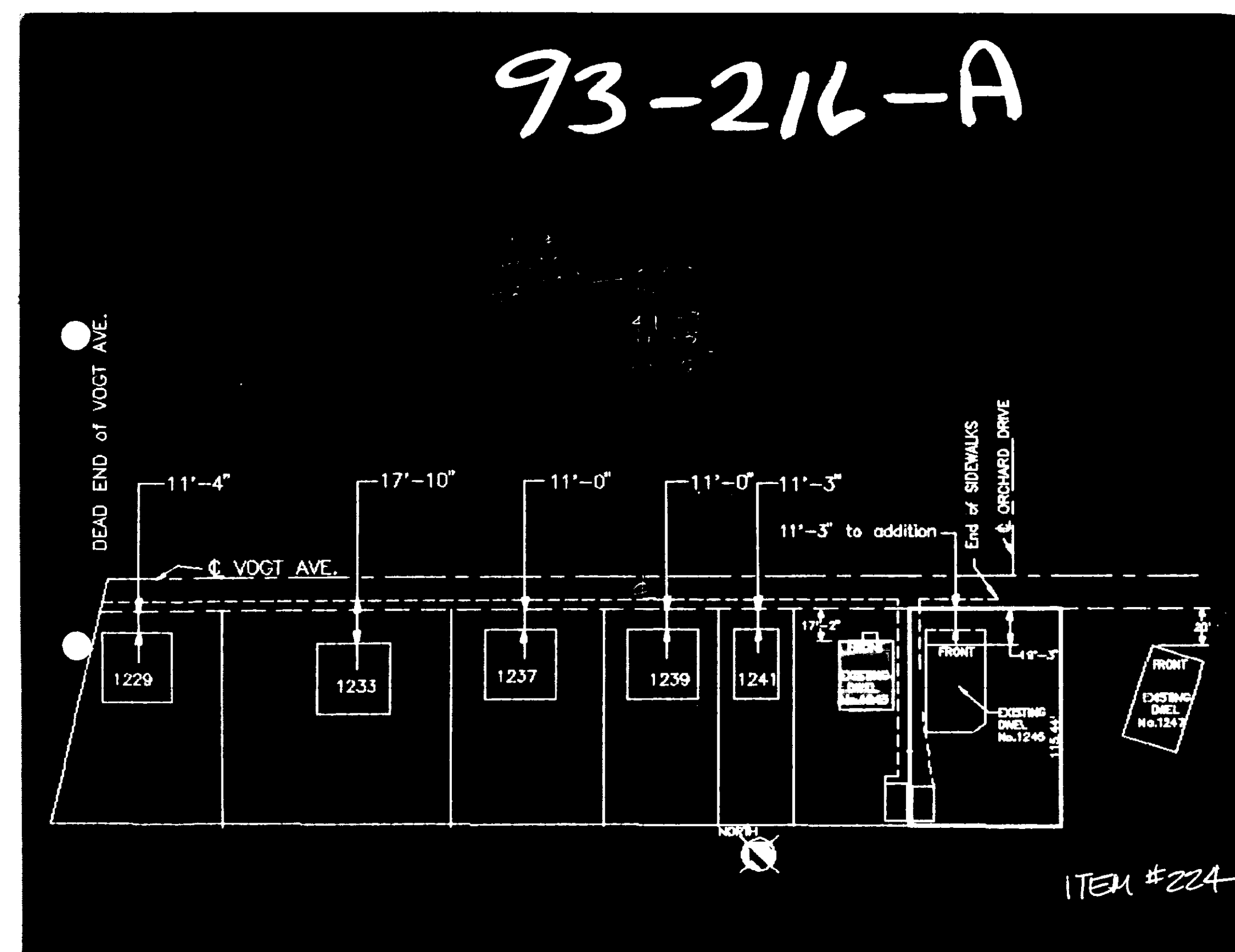
Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a referee regarding the administrative process.

- 1) Your property will be posted on or before January 24, 1993. The closing date, (February 5, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

1/3/

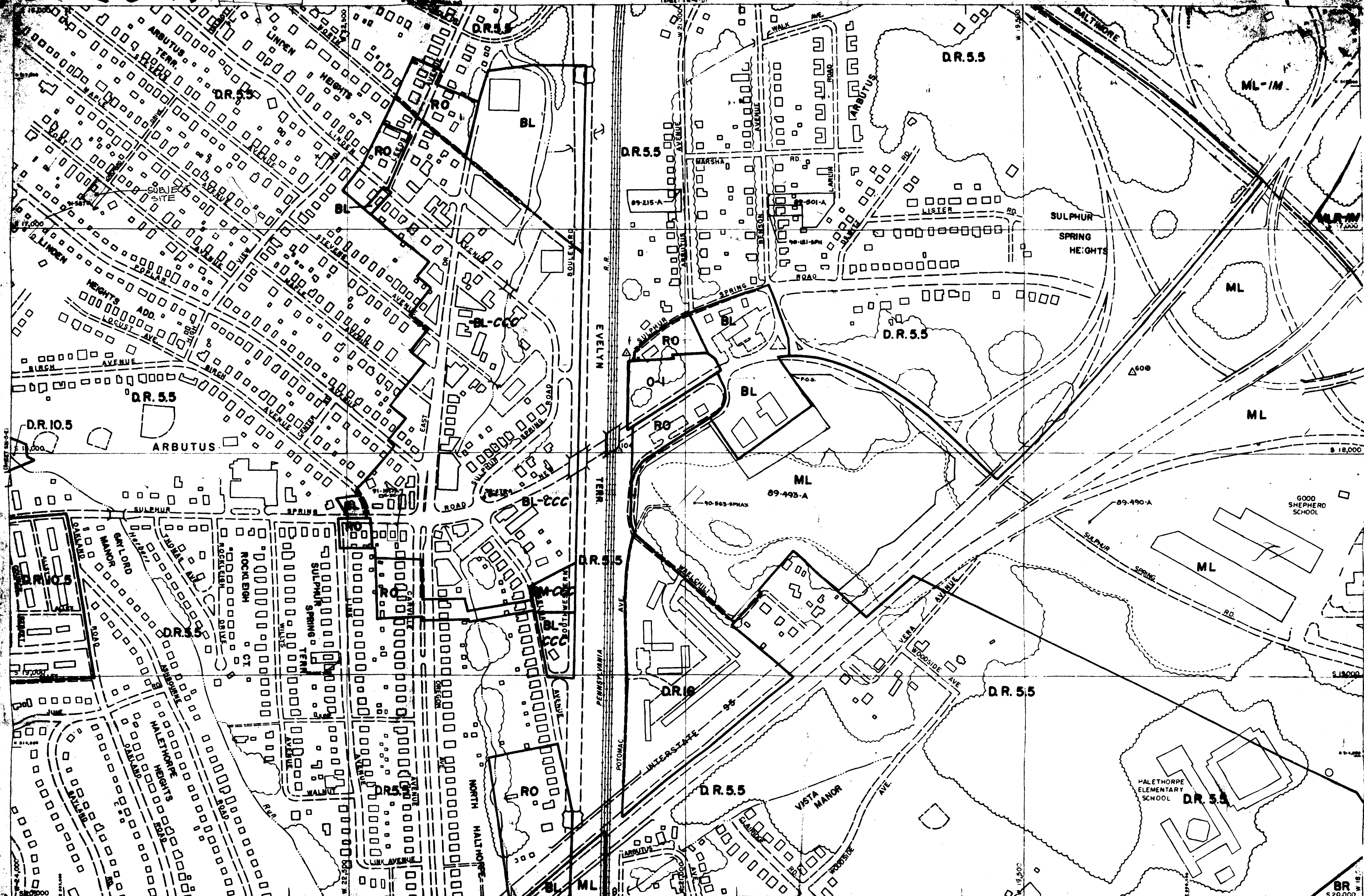
Arnold Jablon  
Director





93-216-A

ITEM #224



G-SW  
C-NW

1986 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
July 13, 1986

SEE MAPS 144-85, 145-85, 146-85, 147-85, 148-85, 149-85, 150-85

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
REVISIONS APPROVED BY THE PLANNING METHOD  
BY THE COUNTY ENGINEER, BALTIMORE, MD. 21210

Charles County Council

# BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE 1" = 200' ±	LOCATION HALETHORPE	SHEET S.W. 5-D
DATE OF PHOTOGRAPHY JANUARY 1986		

BR  
520,000